

Not for Publication

**United States District Court  
for the District of New Jersey**

SUPER 8 WORLDWIDE, INC.,

*Plaintiff,*

v.

AVM ENTERPRISES, LLC, ASHESH PATEL,  
VIJAY PATEL, and MINESH PATEL,

*Defendants.*

Civil No.: 13-4482 (KSH)

**Opinion and Order**

**Katharine S. Hayden, U.S.D.J.**

This matter comes before the Court upon plaintiff Super 8 Worldwide, Inc.’s (“Super 8”) motion for entry of default judgment [D.E. 8] against defendants AVM Enterprises, LLC, Ashesh Patel, Vijay Patel and Minesh Patel (“Defendants”). The Court notes as follows:

- Default was entered against Defendants for failure to plead or otherwise defend on November 18, 2013 and Super 8 moved for entry of final judgment by default on January 28, 2014;
- Super 8’s submission on the motion failed to adequately describe its efforts in serving Defendants via certified and ordinary mail, and the Court thereafter ordered Super 8 to file “documentation in support of their affidavits of diligence as to the attempted service upon the defaulting defendants, including return receipts, certified mail receipts, and/or any other relevant proofs.” [D.E. 9];
- Super 8’s supplemental certification and annexed exhibits, filed with the Court on March 25, 2014 [D.E. 10], were similarly deficient.

Based on the foregoing, the Court denies the motion for entry of default judgment [D.E. 8] as deficient without prejudice to re-filing with the proper documentation.

**SO ORDERED** this 30<sup>th</sup> day of September, 2014.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.